REMARKS

Claims 1-106 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the remarks contained herein.

Applicant would like to thank Examiner Young for courtesy extended during the interview on August 25, 2005. During the interview, the Examiner agreed that Claim 1 distinguishes over the Soljanin reference. A copy of the interview summary is attached hereto.

REJECTION UNDER 35 U.S.C. § 102

Claims 1, 3, 5, 36, 54, 56 and 58 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Soljanin (U.S. Pat. No. 5,608,397). This rejection is respectfully traversed.

Soljanin fails to show, teach or suggest an encoder including a DC check circuit that computes a metric as a function of the data and a DC tracking block that generates a flip signal as a function of the metric.

As best understood by Applicant, Soljanin employs an N/M code such as 11/14 code. The input word is divided into two M=5 portions and one p=1 portion. Each M=5 portion is mapped to 7 bits. The bits of the first 7 bit codeword have a BDS of X and the second has a BDS of X. The p=1 bit portion is used to selectively invert either the first or the second portion to ensure that the BDS of the 14 bit codeword is zero.

In other words, the encoding is worked out in advance and no metrics are generated. Therefore Claim 1 is allowable for at least these reasons.

Claims 36 and 54 are allowable for at least similar reasons as Claim 1. Claims 3 and 5 and 56 and 58 are directly or indirectly dependent upon Claims 1 and 54, respectively, and are therefore allowable for at least similar reasons.

ALLOWABLE SUBJECT MATTER

The Examiner states that claims 2, 4, 6-17, 37-53, 55, 57 and 59-70 would be allowable if rewritten in independent form. Applicant will presently refrain from rewriting Claims. Applicant reserves the right to amend these claims at a later date if needed.

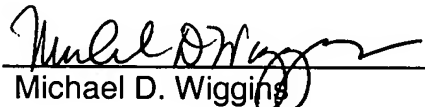Claims 18-35 and 71-106 are allowed.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.
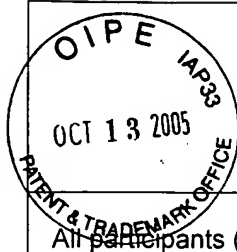
Respectfully submitted,

Dated: October 13, 2005

By: _____
Michael D. Wiggins

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MDW/lmt

	Application No.	Applicant(s)
Interview Summary	10/765,431	OBERG ET AL.
	Examiner	**Art Unit**	
	Brian Young	2819	

All participants (applicant, applicant's representative, PTO personnel):

(1) _Brian Young_.   (3)_____.

(2) _Mike Wiggins_.   (4)_____.

Date of Interview: _25 August 2005_.

Type: a)☐ Telephonic   b)☐ Video Conference
       c)☒ Personal [copy given to: 1)☐ applicant   2)☒ applicant's representative]

Exhibit shown or demonstration conducted: d)☐ Yes   e)☒ No.
   If Yes, brief description: _____.

Claim(s) discussed: _1_.
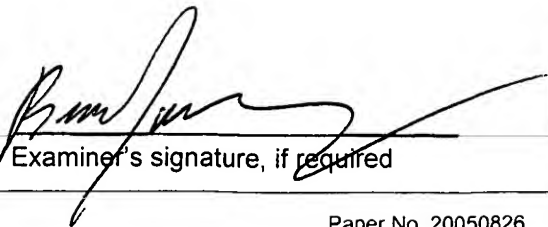
Identification of prior art discussed: _5,608,397_.

Agreement with respect to the claims f)☒ was reached.   g)☐ was not reached.   h)☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: _agreement was reached that examiner will reconsider the cited prior art in view of applicants comments and pending amendment._.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an
Attachment to a signed Office action.   Examiner's signature, if required